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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,911	03/14/2001	Eric Victor Siegel	KAQ-002RCE	4876
959	7590	01/26/2006	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			PWU, JEFFREY C	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/808,911	<b>Applicant(s)</b> SIEGEL ET AL.	
	<b>Examiner</b> Jeffrey C. Pwu	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/25/05 Remark/RCE.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/25/05 has been entered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Desai et al. (U.S. 6,820,204).

Desai et al. teach claims :

1. In an electronic device, a method, comprising the steps of:

providing a user profile holding information regarding a user (10), the user profile stored on the electronic device (abstract);

establishing a first set of permissions for the user profile, the first set of permissions specifying who may access the user profile, the first set of permissions provided by the user; (col.4, lines 44-61; "... the registered user may access profile data located on any information exchange system or affiliated entity that is connected to the network, provided access has been granted to the registered user. The registered user logs onto either an affiliated entity or an information exchange system, preferably through a World Wide Web address. When the registered user requests profile data, the profile data is automatically retrieved from the various locations and made available to the registered user. In a preferred embodiment, the affiliate includes a software firewall that can prevent external access to a subset of the profile data stored on its affiliate storage system. Through the software firewall, the affiliate, on a field-by-field and person-by-person basis, may prevent a certain subset of information from being accessed through the network, while allowing the remainder of the information to be freely accessed through the network if its associated registered user has granted access thereto.")

establishing a second set of permissions for a selected sub-division of the user profile, the second set of permissions specifying who may access the sub-division, the stored set of permissions provided by the user; (col.4, lines 44-61; "...the affiliate includes a software firewall that can prevent external access to a subset of the profile data stored on its affiliate storage system...")

receiving a request from a non-user party to reference the selected sub-division, the non-user party being an entity other than the user about which the user-profile holds information, the

Art Unit: 2143

requesting party being specified by the first set of permissions as having access to the user profile and being specified by the second set of permissions as having access to the selected sub-division; and (col.5, lines 40-56; “ To grant access to stored data, the registered user first selects a data element from the user's stored profile information. The registered user then selects one or more third party users to which access to the selected data element is to be granted. The information exchange system then retrieves the third party's public key from its user profile. The registered user's copy of the encrypted secret key for the selected data element is located, and it is decrypted using the registered user's private key. The secret key is then encrypted using the third party's public key, and stored in the key chain database, along with the third party's user ID and the universal ID for the data element. The registered user may create a view of one or more data elements, and access to one or more views may be granted to one or more groups of users created by the registered user.”)

responding to the request by transmitting the requested information to the requesting party. (col.5, lines 40-56, “grant access”)

2. wherein the sub-division is a field. (col.5, lines 13-col.6, line 16)

3. wherein the first set of permissions specifies what type of access to the user profile is granted to those who may access the user profile. (col.5, lines 40-56, “grant access”)

4. wherein at least one party is granted read access to the user profile, indicating that the party may read information in the user profile. (col.5, lines 40-56, “grant access”)

Art Unit: 2143

5. wherein at least one party is granted write access to the user profile, indicating that the party may write information into the user profile. (col.4, lines 44-61)

6. wherein at least one party is granted availability access to the user profile, indicating that the party may find out whether the user profile is available. . (col.5, lines 40-56)

7. wherein at least one party is granted delete access to the user profile, indicating that the user may delete information in the user profile. (col.5, lines 40-56)

8. wherein the second set of permissions specifies who may access the user profile. (col.5, lines 40-56)

9. wherein one of the first set of permissions and the second set of permissions contains a list of parties that may access the user profile and the sub-division, respectively. (col.5, lines 40-56)

10. wherein defined groups of parties are provided and wherein at least one of the first set of permissions and the second set of permissions specifies one of the groups as having access. (20, 12, 17a)

11. wherein the user specifies at least one of the first set of permissions and the second set of permissions. (col.9, lines 1-18)

12. wherein at least one of the first set of permissions and the second set of permissions is established by default. (col.9, lines 1-51)

13. The method of claim 1, further comprising the step of establishing a third set of permissions for an additional one of the sub-divisions in the user profile, wherein said third set of permissions specifies who may access the additional sub-division. (col.9, lines 1-51)

14. wherein the sub-division of the user profile are organized hierarchically and wherein the sub-division contains the additional subdivision. (col.9, line 1-col.10, line 33)

15. wherein defined groups are provided and wherein at least one of the first set of permissions and the second set of permissions specifies who may have access as an access set, said access set resulting from a set algebraic operation performed on at least two of the groups. (col.9, line 1-col.10, line 33)

16. A method, comprising the steps of: providing user profiles that hold information regarding users and are accessible via a network, the user profiles stored on at least one electronic device; specifying groups of service providers for providing services to the users, each group containing a set of service providers; granting access permission for authorized information in a selected user profile to a selected one of the groups so that the service providers in the selected group may access the authorized information; and transmitting the authorized information to a non-user

Art Unit: 2143

party in said selected one of the group in response to a request from the non-user party being an entity other than the user about which the user profile holds information. (claims 16 is similarly rejected as in claim 1)

Claims 17-20 are similarly rejected as in claims 1-15.

21. The method of claim 20, wherein the user profile contains a name field holding a name of the user and wherein the selected field is the name field. (12;110)

22. The method of claim 20, wherein the user profile contains an address field holding an address field holding an address of the user and wherein the selected field is the address field. (18)

23. The method of claim 20, wherein the permissions are set to block access to multiple ones of the fields by the given service provider. (20)

24. The method of claim 20, wherein the user profile contains a payment field holding information regarding a payment mechanism and wherein the given field is the payment field. (22a)

25. The method of claim 20, wherein the user profile contains a credit card field holding credit card number and wherein the select field is a credit card field. (22a; fig.5, payment between 104 – registered user and 108 – merchant)



Claims 26-31 are similarly rejected as in claims 1-15 and 21-25.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



1/21/06

**JEFFREY PWU**  
**PRIMARY EXAMINER**